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26 UNITED STATES DISTRICT COURT
27 DISTRICT OF NEVADA
28

29 MARCUS PAALUHI, an individual
30
31 Plaintiff,
32
33 vs.

CASE NO. 2:23-cv-01980-CDS-EJY
Judge: Cristina D. Silva
Action Filed: 11/30/2023

34 Warden CALVIN JOHNSON, an individual,
35 Associate Warden JAMES SCALLY, an
36 individual, NICHOLAS PARSONS, and

**STIPULATION REQUESTING THE
COURT TO EXTEND DATES IN
THE SCHEDULING ORDER [ECF
26]**

1 individual, DR. MICHAEL MINEV, and
2 individual, and DOES 2, 3, and 5-15

*([Proposed] Order filed concurrently
herewith)*

3 Defendants.

4 **TO THE HONORABLE COURT AND TO ALL COUNSEL OF**
5 **RECORD:**

6 Plaintiff MARCUS PAALUHI, an individual (“Plaintiff”) and Defendants
7 Warden CALVIN JOHNSON, an individual, Associate Warden JAMES SCALLY,
8 an individual, NICHOLAS PARSONS, and individual, DR. MICHAEL MINEV,
9 and individual, and DOES 2, 3, and 5-15 (collectively “Defendants”), through their
10 respective counsel of record, hereby respectfully submit the following joint
11 stipulation requesting the Court to extend the scheduling order [ECF 26] pursuant to
12 Rule 16(b)(4).

13 Good cause exists for grant of leave to extend the scheduling order for the
14 following reasons:

15 WHEREAS, on Wednesday, October 30, 2024 at 2:00 PM, Plaintiff’s
16 Counsel and Defendants’ Counsel engaged in their telephonic Rule 26 Conference.

17 WHEREAS, on November 13, 2024, the Parties prepared and filed their Joint
18 Rule 26(f) report, as docket no.: 24.

19 WHEREAS, on January 17, 2025, Plaintiff filed a First Amended Complaint
20 naming two additional defendants NICHOLAS PARSONS and DR. MICHAEL
21 MINEV, as docket no.: 31.

22 WHEREAS, on March 5, 2025, Plaintiff served Defendants CALVIN
23 JOHNSON, Associate Warden JAMES SCALLY, and NICHOLAS PARSONS
24 with Requests for Production, Set 1.

25 WHEREAS, on March 31, 2025, at 9:30 a.m., Plaintiff’s Counsel Corey
26 Carter conferred with Mr. Rudolf D’Silva, Defendants’ Counsel, via telephone
27 regarding a request to extend Defendants responses to Set 1 Requests for Production
28

1 to May 5, 2025, and agreed to a stipulation to request the Court to extend the
2 scheduling order.

3 DISCOVERY COMPLETED (LR 26-3(a))

4 On December 10, 2024, Plaintiff served his initial disclosures.

5 On February 7, 2025, Defendant NEVADA DEPARTMENT OF
6 CORRECTIONS, Defendant CALVIN JOHNSON, and Defendant JAMES
7 SCALLY served their initial disclosures.

8 On March 5, 2025, Plaintiff served Set 1 Requests for Production to
9 Defendant CALVIN JOHNSON, and Defendant JAMES SCALLY, and Defendant
10 NICHOLAS PARSONS.

11 Plaintiff is still awaiting Set 1 discovery responses from Defendants that was
12 propounded on March 5, 2025.

13 No other discovery has been completed as of the date of this filing.

14 DISCOVERY NEEDED TO BE COMPLETED (LR 26-3(B))

15 Depositions of the parties, Plaintiff, Defendant CALVIN JOHNSON,
16 Defendant JAMES SCALLY, Defendant NICHOLAS PARSONS, and Defendant
17 DR. MICHAEL MINEV need to be completed. Deposition of third parties need to
18 be completed. Documents need to be produced, including but not limited to Set 1
19 Requests for Production “ANY and ALL X-ray films taken of Plaintiff’s right hand
20 on 11/18/2021.”

21 REASONS WHY THE DEADLINE WAS NOT SATISFIED OR THE
22 REMAINING DISCOVERY WAS NOT COMPLETED WITHIN THE TIME
23 LIMITS SET BY THE DISCOVERY PLAN (LR 26-3(a))

24 The complaint was amended on January 17, 2025 to add new parties,
25 Defendant NICHOLAS PARSONS, and Defendant DR. MICHAEL MINEV.
26 Depositions have not been held yet.

27 PROPOSED REVISED SCHEDULE (LR 26-3(a))
28

- a. The Discovery Cut-off deadline shall be moved from May 23, 2025 to November 24, 2025;
- b. The Initial Expert Disclosure deadline shall be moved from June 18, 2025 to December 18, 2025;
- c. The Rebuttal Expert Disclosure deadline shall be moved from July 2, 2025 to January 2, 2026; and
- d. The Expert Discovery cut-off deadline shall be moved from July 16, 2025 to January 16, 2026.

THEREFORE, the Parties agree and stipulate to the following, subject to the Court's approval:

1. Good cause exists for the Court to extend the scheduling order.
2. The Court should extend the scheduling order, including the following related dates, by no less than by six (6) months:
 - a. The Discovery Cut-off deadline shall be moved from May 23, 2025 to November 24, 2025;
 - b. The Initial Expert Disclosure deadline shall be moved from June 18, 2025 to December 18, 2025;
 - c. The Rebuttal Expert Disclosure deadline shall be moved from July 2, 2025 to January 2, 2026; and
 - d. The Expert Discovery cut-off deadline shall be moved from July 16, 2025 to January 16, 2026.

IT IS HEREBY STIPULATED, by and between the Parties to this action through their attorneys of record:

Respectfully submitted,

DATED: April 25, 2025

CARTER LAW FIRM, APC

1 By /s/ Corey Carter
2 Corey Carter
3 Attorneys for Plaintiff MARCUS
4 PAALUHI, an individual

5 DATED: April 25, 2025

**AARON D. FORD, ATTORNEY
GENERAL**

7 By: /s/ Rudolf M. D'Silva
8 RUDOLF M. D'SILVA
9 Deputy Attorney General
10 Attorneys for Defendants Warden
11 CALVIN JOHNSON, an individual,
12 Associate Warden JAMES SCALLY,
13 an individual, NICHOLAS PARSONS,
14 and individual, DR. MICHAEL
MINEV

ATTESTATION

15 I, Corey A. Carter, attest that all other signatories listed, and on whose behalf
16 the filing is submitted, concur in the filing's content and have authorized its filing
17

18 /s/ Corey Carter
19 Corey A. Carter

20
21 IT IS SO ORDERED.

22 
23 UNITED STATES MAGISTRATE JUDGE

24 DATED: April 28, 2025
25
26
27
28